

1 HOLLY S. PARKER (SBN 10181)  
2 RYAN W. LEARY (SBN 11630)  
3 LAXALT & NOMURA, LTD.  
4 9600 Gateway Drive  
Reno, Nevada 89521  
T: (775) 322-1170  
F: (775)322-1865  
5 Attorneys for *Defendant*  
HIGHLAND RANCH HOMEOWNERS ASSOCIATION

FILED  
ENTERED  
RECEIVED  
SERVED ON  
COUNSEL/PARTIES OF RECORD

DEC 15 2017

CLERK US DISTRICT COURT  
DISTRICT OF NEVADA

BY: \_\_\_\_\_ DEPUTY

6 UNITED STATES DISTRICT COURT  
7

8 DISTRICT OF NEVADA

9 NATIONSTAR MORTGAGE LLC,

Case No.: 3:16-cv-00638

10 Plaintiff,

**STIPULATION AND ORDER TO  
EXTEND DATE BY WHICH  
HIGHLAND RANCH HOMEOWNERS  
ASSOCIATION SHALL HAVE TO  
ANSWER OR OTHERWISE  
RESPOND TO COMPLAINT**

11 vs.

12 RAVENSTAR INVESTMENTS, LLC;  
13 NICHOLAS HEATHMAN; HIGHLAND  
14 RANCH HOMEOWNERS ASSOCIATION; and  
15 GAYLE A. KERN & ASSOCIATES, LTD.,  
d/b/a KERN & ASSOCIATES, LTD.,

(THIRD REQUEST)

16 Defendants.

17 Plaintiff Nationstar Mortgage, LLC (“Nationstar”) and Defendant Highland Ranch  
18 Homeowners Association (“Highland Ranch”), by and through their respective counsel, stipulate  
19 as follows:

20 Nationstar filed a Complaint on November 7, 2016, therein naming Highland Ranch,  
21 Ravenstar Investments, LLC (“Ravenstar”), and other defendants. (ECF No. 1.) On March 23,  
22 2017, the Court entered an order staying this case based on a stipulation filed by the parties.  
23 (ECF No. 45.) Under the terms of the order (ECF No. 45), all pending motions, including  
24 Highland Ranch’s motion to dismiss Nationstar’s claims (ECF No. 19), were deemed withdrawn,  
25 subject to re-filing after the stay was lifted. On August 15, 2017, the Court lifted the stay in light  
26 of the U.S. Supreme Court’s denial of certiorari in *Bourne Valley Court Trust v. Wells Fargo*,  
27 *N.A.* (ECF No. 50).

1       Shortly after the stay was lifted, the parties discovered Ravenstar had filed for  
2 bankruptcy. Thereafter, on September 12, 2017, Ravenstar filed a notice of bankruptcy (ECF  
3 No. 52). On September 20, 2017, Nationstar filed a status report to address the bankruptcy  
4 issues (ECF No. 55). On October 3, 2017, Highland Ranch requested a status conference to seek  
5 guidance from the Court on the issues created by Ravenstar's bankruptcy (ECF No. 58). To  
6 allow the parties to assess the impact of Ravenstar's bankruptcy (and the related automatic stay)  
7 on Highland Ranch's response to Nationstar's Complaint, the parties filed a stipulation (ECF No.  
8 60) to extend the time for Highland Ranch to respond to the Complaint until November 10, 2017  
9 (ECF No. 1). On October 13, 2017, the Court granted the stipulation for extension of time (ECF  
10 No. 61). Because Ravenstar's bankruptcy remained ongoing, on November 8, 2017, the parties  
11 filed a second stipulation (ECF No. 64) to extend the time for Highland Ranch to respond to the  
12 Complaint until December 20, 2017. The Court granted the stipulation on November 28, 2017  
13 (ECF No. 65). On December 4, 2017, the Court entered an order granting Highland Ranch's  
14 request for a status conference and setting the same for December 20, 2017 (ECF No. 66.)

15       Based on the current schedule of deadlines, Highland Ranch's response to the Complaint  
16 is due December 20, 2017, the same day as the scheduled status conference. Per Highland  
17 Ranch's request, the purpose of the status conference is so the parties may obtain guidance from  
18 the Court as to the effect of Ravenstar's bankruptcy on the parties' various claims given their  
19 potential interplay and to ascertain whether this case should be stayed pending a resolution of the  
20 bankruptcy.

21       So the parties may obtain guidance from the Court as to how it wishes to proceed with  
22 this matter and the effect of the bankruptcy on the various claims, Highland Ranch and  
23 Nationstar stipulate to allow Highland Ranch until January 10, 2018 (an additional 21 days) to  
24 answer or otherwise respond to Nationstar's Complaint (ECF No. 1). In the event this matter is  
25 stayed as a result of the December 20, 2017 status conference, Highland Ranch and Nationstar  
26 further stipulate that Highland Ranch shall have until 21 days after any such stay is lifted to  
27 answer or otherwise respond to Nationstar's Complaint (ECF No. 1).

28

1        In light of the bankruptcy issues and scheduled status conference, good cause exists to  
2 extend the time for Highland Ranch's response. Subsequent to the lifting of the prior stay, the  
3 Court granted two prior extensions for Highland Ranch's response to Nationstar's Complaint  
4 (ECF Nos. 61 and 65).

5        **IT IS SO STIPULATED.**

6 Dated this 13<sup>th</sup> day of December, 2017.

7 AKERMAN LLP

8 By /s/ Karen Whelan

9 MELANIE D. MORGAN (SBN 8215)  
10 REBEKKAH B. BODOFF (SBN 12703)  
11 KAREN WHELAN (SBN 10466)  
12 1160 Town Center Drive, Suite 330  
13 Las Vegas, Nevada 89144  
14 Attorneys for Plaintiff Nationstar  
15 Mortgage LLC

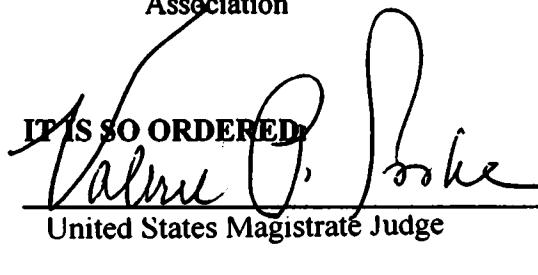
Dated this 13<sup>th</sup> day of December, 2017.

LAXALT & NOMURA, LTD.

By 

HOLLY S. PARKER (SBN 10181)  
RYAN W. LEARY (SBN 11630)  
9600 Gateway Drive  
Reno, Nevada 89521  
Attorneys for Defendant  
Highland Ranch Homeowners  
Association

16 **IT IS SO ORDERED.**

17   
United States Magistrate Judge

18 Dated:

19 